

Meadowridge at Timberhill  
Homeowners Association  
Board of Director's  
Emergency Meeting  
February 5, 2007  
Minutes

Emergency Meeting: Reason was that Ron Cook declined to serve on the board. Board needed to fill the vacancy.

Board Attending: Bill Buckley and Walt Griffiths. Association: Gwen Hogeboom, Kim Griffiths

The minutes from the turn-over meeting were read and the board approved the minutes.  
See Addendum

Turnover Issues:

Election of a Board Member

Director Ron Cook unable to serve

Nominations – Gwen Hogeboom

Brent Byer

Bill moved to Elect Gwen, Walt seconded Motion passed.

Existing Records Situation, Address & Contact Information not consolidated. It was discussed that Gwen would design a card that can be sent out to the association with information collection as its primary goal and a directory as a secondary goal.

Report on current process of receipt of dues – Mary Morris – through Timberhill Realty

Manual tracking

No collections, late fee or lien

Walt Griffiths presented a proposal of the need for late fee, after 4 month lien property, no ARC review while late

Bill is going to craft a letter to those owing dues beyond this quarter. This will be sent out after an introduction letter with the changes.

Gwen moved to have a 10% late fee after 15 days late beginning with April 2007. Bill seconded motion. Unanimous

Report on previous process of payment of bills – Tanya Durkee w/ Liz Morris in Portland wrote the checks and reconciled the statements. Statements are in the hands of Walt Griffiths currently. A consolidated QuickBooks file will be pulled together to assist in management of the Associations funds and for the preparation of the budget.

Report on the Architectural Review Committee (ARC) Records – Some with Tanya, some with John Stewart all being consolidated and sent to us.

#### Contracts:

Mary Morris – Bills Homeowners Quarterly, Receives Dues, Received ARC applications and pass them on to John Stewart Walt Griffiths has asked Mary that the dues be forwarded on and then bill us for her contract of 10% until we have changes.

Bill knows of a CPA that worked on a charitable organization providing these services and the tax filings. Bill will contact and report.

Joe Gonzolas – Housed in the same office as Mary, the old Brand S office. Walt has reviewed the contract but has not had a chance to walk the property with Joe.

#### Professionals

Tom Black – Attorney for Timberhill Corp. Walt contacted for further documents of turnover – Suggest securing another attorney to avoid possible conflict since Tom also represents the developer, TimberHill Corp.

Liz Morris – bookkeeping in Portland on a spreadsheet. Will no longer be utilized.

Mike Eves – Unified Insurance. Walt has talked with him and updated him on the transition. Will contact once a mailing address for policies has been decided.

Fred Erickson – CPA, Troutdale – No Contact.

John Stewart – ARC professional

Bill made a motion to have John stay on the ARC and pass on the application fee to him. Seconded by Gwen. Unanimous Bill recommended Mark Leeds, lot 90 as a possible ARC member.

#### Citizens Bank

Forms, distributed to Bill and Walt for signatures and required information. Contact at Citizens provided to Bill. He will take the lead in getting our signatures set up with the bank.

Change with the State of Oregon – Board needs to decide on official address.

Statements, being reviewed

Quickbooks

#### Insurance Report.

Liability – Liberty Northwest due Feb.17

D & O – CNA just paid to Feb.16, 2008

Action item Review Insurance once per year. Time to do this was not discussed.

The need to have a Budget which is due the end of February – Year End March 31, Tax filing date? This should be done at the next meeting.

Reserve Study & Reserve Account was discussed and neither exists currently. The only areas required since the city owns the water retention site is for walks, bridges and landscape issues. Further research per Oregon Planned Community can be found at <http://www.leg.state.or.us/ors/094.html>

See Addendum

#### Homeowner Contacts

Updating information, Walt has consolidated the information that is available.

Need of e-mail which will help with mailing costs and information newsletters.  
Can also automate the quarterly billing  
Association Meeting announcements must be Posted 3 days prior, placement,  
where to hold.

New Business:

Gwen moved to have a HOA Directory and volunteered to chair committee to organize.  
Bill seconded and recommended Tami Benning was suggested to participate.  
Passed Unanimously

Bill moved and seconded to hold our meetings at Starbucks Winco and that the BOD  
would purchase a card that could be used at the meetings and for guests. Gwen seconded.  
Passed.

Home owner input:

Is the HOA going to enforce CCR of:  
Garbage outside  
Multiple dishes

Board will review CCR and discuss a future meeting.

Question of trench by Big Oak Tree on Swallow. Chairman and John Stewart will  
contact lot owner to determine why there is a trench there and the possible negative  
impact it can have on the Oak Tree.

Adjourn

Addendum

PLANNED COMMUNITIES

**94.640 Association board of directors; powers and duties; removal of member;  
meetings; executive sessions.**

(8) In a planned community in which the majority of the lots are the principal residences  
of the occupants, meetings of the board of directors must comply with the following:

(a) For other than emergency meetings, notice of board of directors' meetings shall be  
posted at a place or places on the property at least three days prior to the meeting or  
notice shall be provided by a method otherwise reasonably calculated to inform lot  
owners of such meetings;

(b) Emergency meetings may be held without notice, if the reason for the emergency  
is stated in the minutes of the meeting;

**94.616 Turnover meeting; transfer of administration.** (1) At the meeting called under  
ORS 94.609, the declarant shall turn over to the homeowners association the  
responsibility for the administration of the planned community, and the association shall  
accept the administrative responsibility from the declarant.

(2) The owners shall elect a board of directors in accordance with the bylaws of the  
association. *[Done]*

(3) At the meeting, called under ORS 94.609, the declarant shall deliver to the

association:

- (a) The original or a photocopy of the recorded declaration and copies of the bylaws and the articles of incorporation, if any, of the planned community and any supplements and amendments to the articles or bylaws; *[Received]*
- (b) A deed to the common property in the planned community, unless otherwise provided in the declaration; *[Told that it was recorded in the plat.]*
- (c) The minute books, including all minutes, and other books and records of the association and the board of directors; *[not good minutes at all, ARC records not turned over; not complete yet 02/05/07]*
- (d) All rules and regulations adopted by the declarant; *[ARC Not Received]*
- (e) Resignations of officers and members of the board of directors who are required to resign because of the expiration of any period of declarant control reserved pursuant to ORS 94.600; *[not done]*
- (f) A financial statement. The financial statement: *[Received]*
  - (A) Must consist of a balance sheet and an income and expense statement for the preceding 12-month period or the period following the recording of the declaration, whichever period is shorter; and *[Received]*
  - (B) Must be reviewed, in accordance with the Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants, by an independent certified public accountant licensed in the State of Oregon if the annual assessments of an association exceed \$75,000; *[\$44,640]*
- (g) All funds of the association and control of the funds, including all bank records; *[Bank Statements?]*
- (h) All tangible personal property that is property of the association, and an inventory of the property;
- (i) Records of all property tax payments for the common property to be administered by the association; *[Received]*
- (j) Copies of any income tax returns filed by the declarant in the name of the association, and supporting records for the returns;
- (k) All bank signature cards; *[none]*
- (L) The reserve account established in the name of the association under ORS 94.595;
- (m) The reserve study described in ORS 94.595, including all updates and other sources of information that serve as a basis for calculating reserves in accordance with ORS 94.595; *[none]*
- (n) An operating budget for the portion of the planned community turned over to association administration and a budget for replacement and maintenance of the common property; *[none]*
- (o) A copy of the following, if available:
  - (A) The as-built architectural, structural, engineering, mechanical, electrical and plumbing plans; *[Received]*
  - (B) The original specifications, indicating all subsequent material changes; *[Research plans]*
  - (C) The plans for underground site service, site grading, drainage and landscaping together with cable television drawings; *[Research plans]*
  - (D) Any other plans and information relevant to future repair or maintenance of the property; and
  - (E) A list of the general contractor and the electrical, heating and plumbing subcontractors responsible for construction or installation of common property; *[none]*
- (p) Insurance policies; *[Received]*

- (q) Copies of any occupancy permits issued for the planned community;
  - (r) Any other permits issued by governmental bodies applicable to the planned community in force or issued within one year before the date on which the owners assume administrative responsibility;
  - (s) A list of any written warranties on the common property that are in effect and the names of the contractor, subcontractor or supplier who made the installation for which the warranty is in effect;
  - (t) A roster of owners and their addresses and telephone numbers, if known, as shown on the records of the declarant; *[Received]*
  - (u) Leases of the common property and any other leases to which the association is a party;
  - (v) Employment or service contracts in which the association is one of the contracting parties or service contracts in which the association or the owners have an obligation or responsibility, directly or indirectly, to pay some or all of the fee or charge of the person performing the service; and
  - (w) Any other contracts to which the homeowners association is a party. *[Received]*
- (4) In order to facilitate an orderly transition, during the three-month period following the turnover meeting, the declarant or an informed representative shall be available to meet with the board of directors on at least three mutually acceptable dates to review the documents delivered under subsection (3) of this section.
- (5) If the declarant has complied with this section and unless the declarant has sufficient voting rights as a lot owner to control the association, the declarant is not responsible for the failure of the owners to comply with subsection (1) of this section and the declarant is relieved from further responsibility for the administration of the association, except as a lot owner. [1981 c.782 §67; 1983 c.206 §3; 1999 c.677 §11; 2001 c.756 §11; 2003 c.803 §19]

**94.595 Reserve account for replacing common property; reserve study; 30-year maintenance plan.** (1) The declarant shall:

- (a) Conduct a reserve study described in subsection (3) of this section; and
  - (b) Establish a reserve account for replacement of all items of common property which will normally require replacement, in whole or in part, in more than three and less than 30 years, for exterior painting if the common property includes exterior painted surfaces, for other items, whether or not involving common property, if the association has responsibility to maintain the items and for other items required by the declaration or bylaws. The reserve account need not include reserves for those items:
    - (A) That could reasonably be funded from operating assessments; or
    - (B) For which one or more owners are responsible for maintenance and replacement under the provisions of the declaration or bylaws.
- (2)(a) A reserve account established under this section must be funded by assessments against the individual lots for which the reserves are established.
- (b) Unless the declaration provides otherwise, the assessments under this subsection begin accruing for all lots from the date the first lot is conveyed.
- (3)(a) The reserve account shall be established in the name of the homeowners association. The association is responsible for administering the account and for making periodic payments into the account.
- (b) The reserve portion of the initial assessment determined by the declarant shall be based on:
- (A) The reserve study described in paragraph (c) of this subsection; or

(B) Other sources of reliable information.

(c) The board of directors of the association annually shall conduct a reserve study or review and update an existing study to determine the reserve account requirements and may:

(A) Adjust the amount of payments as indicated by the study or update; and

(B) Provide for other reserve items that the board of directors, in its discretion, may deem appropriate.

(d) The reserve study shall include:

(A) Identification of all items for which reserves are required to be established;

(B) The estimated remaining useful life of each item as of the date of the reserve study;

(C) The estimated cost of maintenance, repair or replacement of each item at the end of its useful life; and

(D) A 30-year plan for the maintenance, repair and replacement of common property with regular and adequate contributions, adjusted by estimated inflation and interest earned on reserves, to meet the maintenance, repair and replacement schedule.

(4) The 30-year plan under subsection (3) of this section shall:

(a) Be appropriate for the size and complexity of the common property; and

(b) Address issues that include but are not limited to warranties and the useful life of the common property.

(5) The board of directors and the declarant shall, within 30 days after conducting the reserve study, provide to every owner a written summary of the reserve study and of any revisions to the 30-year plan adopted by the board of directors or the declarant as a result of the reserve study.

(6)(a) If the declaration or bylaws require a reserve account, the reserve study requirements of subsection (3) of this section first apply to the association of a subdivision that meets the definition of a planned community under ORS 94.550 and is recorded prior to October 23, 1999, when:

(A) The board of directors adopts a resolution in compliance with the bylaws that applies the requirements of subsection (3) of this section to the association; or

(B) A petition signed by a majority of owners is submitted to the board of directors mandating that the requirements of subsection (3) of this section apply to the association.

(b) A reserve study shall be completed within one year of adoption of the resolution or submission of the petition to the board of directors.

(7)(a) Except as provided in paragraph (b) of this subsection, the reserve account may be used only for the purposes for which reserves have been established and is to be kept separate from other funds.

(b) After the individual lot owners have assumed responsibility for administration of the planned community under ORS 94.616, if the board of directors has adopted a resolution, which may be an annual continuing resolution, authorizing the borrowing of funds:

(A) The board of directors may borrow funds from the reserve account to meet high seasonal demands on the regular operating funds or to meet unexpected increases in expenses.

(B) Not later than the adoption of the budget for the following year, the board of directors shall adopt by resolution a written payment plan providing for repayment of the borrowed funds within a reasonable period.

(8) Nothing in this section prohibits prudent investment of reserve account funds subject to any constraints imposed by the declaration, bylaws or rules of the association.

(9) In addition to the authority of the board of directors under subsection (3)(c) of this

section, following the second year after the association has assumed administrative responsibility for the planned community under ORS 94.616:

(a) By an affirmative vote of at least 75 percent of the owners of the planned community, the association may elect to reduce or increase future assessments for the reserve account; and

(b) The association may, on an annual basis by a unanimous vote, elect not to fund the reserve account.

(10) Assessments paid into the reserve account are the property of the association and are not refundable to sellers or owners of lots. [1981 c.782 §15; 1999 c.677 §7; 2001 c.756 §10; 2003 c.569 §8; 2005 c.543 §1]